

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IPC SYSTEMS, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 16-443 (CFC)
)	
CLOUD9 TECHNOLOGIES LLC,)	
)	
Defendant.)	
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CLOUD9 TECHNOLOGIES LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 18-2042 (CFC)
)	
IPC SYSTEMS, INC. and IPC NETWORK)	
SERVICES, INC.,)	
)	
Defendants.)	

STIPULATION AND [PROPOSED] ORDER TO STAY

WHEREAS, the parties are actively engaged in settlement negotiations;

WHEREAS, the parties wish to stay proceedings so that they may focus their efforts on resolving these litigations; and

WHEREAS, the parties wish to have a procedure in place should these litigations need to resume.

IT IS HEREBY STIPULATED by the parties, subject to the approval of the Court, as follows:

- The aforementioned litigations are hereby stayed for sixty (60) days.
- In Case No. 16-443-CFC, fact discovery, including third-party discovery, shall be held in abeyance during the aforementioned stay. If a stipulation of dismissal is not filed in Case No. 16-443-CFC by March 29, 2019, the parties

on the date shall file a joint status report on the status of the case and their proposed revised scheduling order, which among other things shall provide for an extension of fact discovery such that fact discovery shall close no earlier than May 22, 2019, set forth scheduling deadlines, and account for any other issues appropriate for inclusion in the scheduling order.

- In Case No. 18-2042, if a stipulation of dismissal is not filed by March 29, 2019, the parties on that date shall file a joint status report to report on the status of the case.

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January 28, 2019

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SO ORDERED this ____ day of _____, 2019.

United States District Judge